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17-09-2025
AKG
Ct. 15

WPA 21180 of 2025

**Santosh Kumar
Vs.
The State of West Bengal & Ors.**

Mr. Sattwik Bhattacharyya
...for the Petitioner

Mr. Pantu Deb Roy,
Mr. Pannalal Bandopadhyay
...for the State

Ms. Aishwarya Rajyashree
...for STA, Jharkhand

The petitioner is the holder of an inter-state stage carriage permit for the route from Bokaro to Baripada via Purulia, Tata, Tiring, and Rairangpur (Route A-8). A portion of this route falls within the jurisdiction of the State of West Bengal. The said permit was, admittedly, issued pursuant to an agreement between the States of Jharkhand and Odisha. It is undisputed that the State of West Bengal was not a party to this inter-state reciprocal transport agreement of 2007. Learned counsel appearing on behalf of the petitioner submits that the segment of the route within the jurisdiction of West Bengal measures approximately 64 kilometers.

The petitioner has filed an application dated March 21, 2025, before the Secretary of the State Transport Authority, West Bengal, seeking counter-signature on the

permit to authorize the relevant vehicle to operate on roads within West Bengal's jurisdiction. This application was followed by a representation dated August 21, 2022, as appears on page 22 of the writ petition.

Learned counsel for the petitioner further submits that, in similar circumstances, the State Transport Authority of West Bengal has previously granted counter-signature to comparable permits; however, the petitioner's application has not been accorded similar consideration. In support of this submission, reliance is placed on a counter-signed permit appearing on page 17 of the writ petition.

The prayer made in the writ petition is opposed by the learned counsel representing the State. By referring to Section 88 of Motor Vehicles Act, 1988, it is contended that where the portion of the relevant route falling within the State of West Bengal is less than sixteen kilometers, the permit does not require counter-signature from the State Transport Authority of West Bengal.

Learned counsel for the petitioner, however, challenges this contention by invoking Section 88(4) of Motor Vehicles Act, 1988.

In my view, since the petitioner's prayer remains pending before the State Transport Authority of West Bengal, the said authority ought to consider the

application in accordance with the law. It is neither necessary nor appropriate to adjudicate upon the issue prior to such consideration.

Accordingly, this writ petition is disposed of with a direction to the State Transport Authority, West Bengal, to consider the petitioner's application dated March 21, 2025, appearing at page 21 of the writ petition, within a period of six weeks from the date of communication of this order. The authority shall pass a reasoned order and communicate the same to the petitioner.

With the foregoing directions, **WPA 21180 of 2025** stands disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)